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CIVIL AND POLITICAL RIGHTS, INCLUDING THE QUESTION OF TORTURE AND DETENTION

Written statement* submitted by the Arab Organization for Human Rights, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[16 December 1999]

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* This written statement is issued, unedited, as received from the submitting non-governmental organization(s).

HOSTAGES: BARGAIN CHIP

The Israeli forces hold one hundred and eighty three (183) Lebanese hostages. 142 hostages are in the Khiam Deflection Camp and the rest (41) hostages are inside Israeli Detention Camps (Askalan, Ayalon Naftha...).

The ages of the detainees range between 14 and 70 years old. The Khiam Detention Camp (KDC) has been established in 1985 and since then has been used for detaining people without any legal documents, no charges or trials and nor right for an attorney.

The Israeli forces have direct control over the KDC and the Israeli secret intelligence conducts the interrogation of the detainees before transferring them to the KDC or the Israeli Detention Camps (IDCs).

14 detainees have died during these "interrogations". Another 2 who died in the American University Hospital after their release are Mr., Salim Awada and Mr. Rida Youssef Mustafa.

Rheumatism, Thalassemia, amnesia, defect of sight, stomachaches, and other health conditions spread wide in the detention camps due to insufficient nutrition, lack of medical care, and the no-light policy practiced by the Israeli forces.

There are the sick and the wounded in the KDC; Mr. Sleiman Ramadan's leg has been amputated in one of the Israel hospitals in 1985 due to the medical negligence of his infected wounds. This continuous medical negligence and the surgical mistake done during the first amputation, lead to the danger of a second amputation of the rest of Mr. Ramadan's leg.

Even children did not escape these centers such as Hassan Moussa Rida (15 Years) who was kidnapped from his village Ayata Al-Chaab on 15 July 1999.

The Israeli forces also hold in its detention centers many old people such as Ali Ghanwi (60 years old), Mr. Mohamad Salim Katbay (64 years old) and Zaki Hassan Awada (66 years old), etc... and they suffer from very bad health condition.

Also in these centers are many women such as the journalist Cosette Elias Ibrabim who was abducted by the Israeli Intelligence Forces on the second of September 1999 because she was accused of preparing reports about the situation in the occupied territories and the majority of civilians detainees (students - farmers).

As for the kidnapped to the interred prisons or IDCs, the fact that they have been moved from the Lebanese territories and tried contradicts articles 49 and 76 of the Geneva Convention VI that states respectively:

" Individuals or mass forcible transfers, as well as deportations of protected persons from occupied territory of the Occupying Power or to that of any other country, occupied or not are prohibited, regardless of their motives..."

" Protected persons accused of offenses shall be detained in the occupied Country and if convicted they shall serve their Sentences therein..."

The abduction in itself is an Offense against the Lebanese authorities. The sentences by the Israeli martial court against those kidnapped are not legal, and contradict all international trial standards. And even when these ilegal sentences have been served by 19 Lebanese hostages in the Ayalon IDC, the Israeli government did not release kept them in detention by renewing their detention period every six months. Some Of these hostages have been detained for periods of more than 11 years after serving their sentences. Such is the cases of Bilal Dakroub, Ahmad Ammar and others. Even the illegal trials are just formalities. There is no difference between detainees who have been tried, detained whose sentence have been served or detainees detained without trials. They are all hostages. The Israeli Supreme Court has admitted on 13 October 1999 that the Lebanese detainees are hostages and constitute a bargain chip.

The legalization of taking hostages by Israel and the torturing practices accepted by their regime, are a clear violation of all international laws and the first of its kind around the world. Never in history the Supreme Court given its blessing to the taking of people as hostages.

Some of those kidnapped have not been tried ever since their abduction, They just sit in their cells that are forbidden to the Red Cross, and are not allowed to even write letters to their families (or receive any from them). Such is the case of Sheik Abdul Karim Obeid and Mr. Mustafa Dirani.

In the Naftha IDC stays Mr., Samir Kintar, the detainee held for the longest period of time since 22/4/79. Mr. Kintar is sentenced for a life in "detention" and is not allowed to any visits from his family despite of the now 22-year imprisonment.

Most of the detainees suffer from some difficult health and psychological conditions. Their families are not allowed to visit them, and they are forced to live in complete isolation from the outside world.

The Israelis also hold tens of Lebanese hostages without admitting that they do. The whereabouts of these people is still unknown.

Charges against the Lebanese detainees may be summarized as follows:

1. Underground resistance against the Israeli occupation.
2. Refusing to be pro-Israeli militia person.
3. Refusing to pay any levies or taxes.
4. Cooperating with the Lebanese government and giving information to the Lebanese Army.
5. Not accepting Israeli aids and refusing to undergo tourist trips to Israel.
6. Having mobile phones.
7. Refusing the Israeli aids and to organize touristic trips to Israel.

The Lebanese hostages' case in the Khiam and Israeli Detention Camps (KDCs) is a national Lebanese cause, and is an international cause in all its humanitarian aspects. This exerts, on the United Nations, the governments worldwide, and the humanitarian Arab and international organizations, the responsibility for a worldwide campaign in the support of the following:

1. The release of all youngsters, sick, wounded women and elderly people in the KDC.
2. The release of all the detainees who served their sentences in Ayalon Prison.
3. The cessation of the torture applied in the KDC the cessation of the cruel non-humanitarian treatment indicted on the detainees for the purpose of degradation of their dignity.
4. Send an international investigation committee to the KDC. Present the criminals of war who have performed the torturing of the detained, whether directly or indirectly, to the international courts. Indemnify the victims and work on their rehabilitation.
5. Allow all the detainees to meet with their families, lawyers, the Red Cross and the human right organizations.
6. Conviction of the Israeli Supreme Court decisions that consider the Lebanese detained as hostages, the thing that contradicts the Declaration of Human Rights so openly.
7. Cancellation of the "formality trials" or the detained and consider these trials as illegitimate according to the international laws.
8. Force the Israelis to admit about the whereabouts of the missing persons or present their bodies to the Red Cross.

The Untied Nations, world governments, international human rights organizations and all those who seek justice and the right of the Man to live, should all work very hard together to help free the humanity from the Khiam Detention Camp, close it, and release all the Lebanese hostages from the israeli Detention Camps.